



General Assembly

January Session, 2005

Amendment

LCO No. 8067

HB0697708067HDO

Offered by:

REP. LAWLOR, 99th Dist.

To: Subst. House Bill No. 6977

File No. 540

Cal. No. 404

**"AN ACT CONCERNING THE REVISOR'S TECHNICAL
CORRECTIONS TO THE GENERAL STATUTES."**

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Subdivisions (1) and (2) of subsection (a) of section 1-81 of
4 the general statutes is repealed and the following is substituted in lieu
5 thereof (*Effective from passage*):

6 (1) Compile and maintain an index of all reports, advisory opinions,
7 memoranda [filed under the provisions of subsection (f) of section
8 1-82a] issued in accordance with subsection (b) of section 1-82 and
9 statements filed by and with the commission to facilitate public access
10 to such reports and statements as provided by this part;

11 (2) Preserve advisory opinions permanently; preserve memoranda
12 [filed under subsection (f) of section 1-82a,] issued in accordance with
13 subsection (b) of section 1-82 and statements and reports filed by and
14 with the commission for a period of five years from the date of receipt.

15 Sec. 502. Subsection (a) of section 4-9b of the general statutes is
16 repealed and the following is substituted in lieu thereof (*Effective from*
17 *passage*):

18 (a) Appointing authorities, in cooperation with one another, shall
19 make a good faith effort to ensure that, to the extent possible, the
20 membership, except the ex-officio membership, of each state
21 appointive board, commission, committee and council having
22 members appointed by the Governor or appointed by members of the
23 General Assembly is qualified and [more] closely reflects the gender
24 and racial diversity of the state. If there are multiple appointing
25 authorities for a board, commission, committee or council, the
26 appointing authorities shall inform each other of their appointees or
27 planned appointees in order to facilitate compliance with this section.

28 Sec. 503. Section 7-131o of the general statutes is repealed and the
29 following is substituted in lieu thereof (*Effective from passage*):

30 A municipality, town, city, borough or district, as defined in section
31 7-324, that takes active agricultural land by eminent domain shall: (1)
32 Purchase an agricultural conservation easement on an equivalent
33 amount of active agricultural land of comparable or better soil quality
34 in such municipality, town, city, borough or district; [,] or (2) if no
35 comparable active agricultural land is available for an agricultural
36 conservation easement as provided in subdivision (1) of this section,
37 pay a fee for the purchase of development rights to an equivalent
38 amount of active agricultural land of comparable or better soil quality
39 elsewhere in the state. Such purchase amount shall be paid to the
40 General Fund and credited to the state program for the preservation of
41 agricultural land established pursuant to chapter 422a. The
42 municipality, town, city, borough or district shall notify the
43 Commissioner of Agriculture of its intent to comply with the
44 provisions of subdivision (1) or (2) of this section. The Commissioner
45 of Agriculture shall determine the amount of the payment to be made
46 by such municipality, town, city, borough or district for the purchase
47 of an agricultural conservation easement or the purchase of

48 development rights pursuant to [subdivisions] subdivision (1) or (2) of
49 this section. The municipality, town, city, borough or district shall not
50 proceed unless the Commissioner of Agriculture approves the
51 purchase of an agricultural conservation [easements] easement
52 pursuant to subdivision (1) of this [subsection] section. Such
53 agricultural conservation [easements] easement shall be jointly and
54 severally held by the municipality, town, city, borough or district and
55 the state.

56 Sec. 504. Subsection (a) of section 12-264 of the general statutes is
57 repealed and the following is substituted in lieu thereof (*Effective from*
58 *passage*):

59 (a) Each (1) Connecticut municipality or department or agency
60 thereof, or Connecticut district, manufacturing, selling or distributing
61 gas or electricity to be used for light, heat or power, in this chapter and
62 in chapter 212a called a "municipal utility", (2) company the principal
63 business of which is manufacturing, selling or distributing gas or
64 steam to be used for light, heat or power, including each foreign
65 municipal electric utility, as defined in section 12-59, and given
66 authority to engage in business in this state pursuant to the provisions
67 of section 16-246c, and (3) company required to register pursuant to
68 section 16-258a shall pay a quarterly tax upon gross earnings from
69 such operations in this state. Gross earnings from such operations
70 under subdivisions (1) and (2) of this subsection shall include (A) all
71 income classified as operating revenues by the Department of Public
72 Utility Control in the uniform systems of accounts prescribed by said
73 department for operations within the taxable quarter and, with respect
74 to each such company, (B) all income classified in said uniform
75 systems of accounts as income from merchandising, jobbing and
76 contract work, (C) income from nonutility operations, (D) revenues
77 from lease of physical property not devoted to utility operation, and
78 (E) receipts from the sale of residuals and other by-products obtained
79 in connection with the production of gas, electricity or steam. Gross
80 earnings from such operations under subdivision (3) of this subsection
81 shall be gross income from the sales of natural gas, provided gross

82 income shall not include income from the sale of natural gas to an
83 existing combined cycle facility comprised of three gas turbines
84 providing electric generation services, as defined in section 16-1, with a
85 total capacity of [775] seven hundred seventy-five megawatts, for use
86 in the production of electricity. Gross earnings of a gas company, as
87 defined in section 16-1, shall not include income earned in a taxable
88 quarter commencing prior to June 30, 2008, from the sale of natural gas
89 or propane as a fuel for a motor vehicle. No deductions shall be
90 allowed from such gross earnings for any commission, rebate or other
91 payment, except a refund resulting from an error or overcharge and
92 those specifically mentioned in section 12-265. Gross earnings of a
93 company as described in subdivision (2) of this subsection shall not
94 include income earned in any taxable quarter commencing on or after
95 July 1, 2000, from the sale of steam.

96 Sec. 505. Subsection (b) of section 14-37a of the general statutes is
97 repealed and the following is substituted in lieu thereof (*Effective from*
98 *passage*):

99 (b) The commissioner may, in the commissioner's discretion upon a
100 showing of significant hardship, grant each such application that is
101 submitted in proper form and contains such information and
102 attestation by the applicant as the commissioner may require. In
103 determining whether to grant such application, the commissioner may
104 also consider the driving record of the applicant and shall ascertain
105 that the suspension is a final order that is not under appeal pursuant to
106 section 4-183. A special operator's permit shall not be issued pursuant
107 to this section to any person for the operation of a motor vehicle for
108 which a public passenger transportation permit or commercial driver's
109 license is required or to any person whose operator's license has been
110 suspended previously pursuant to section 14-227b. A special operator's
111 permit shall not be issued pursuant to this section to any person whose
112 operator's license has been suspended pursuant to subparagraph [(B)]
113 (C) of subdivision (1) of subsection (i) of section 14-227b for refusing to
114 submit to a blood, breath or urine test or analysis until such operator's
115 license has been under suspension for a period of not less than ninety

116 days.

117 Sec. 506. Subdivision (4) of subsection (e) of section 16-43 of the
118 general statutes is repealed and the following is substituted in lieu
119 thereof (*Effective from passage*):

120 (4) For the sale of class III land where the property is more than ten
121 acres and promotes a perpetual public interest in the use of land for
122 open space or recreation purposes, as defined in section 16-43b, the
123 department shall allocate the benefits in accordance with the
124 following:

125 (A) If twenty-five per cent of the land or less is to be used for open
126 space or recreational purposes, the department shall allocate one
127 hundred per cent of the benefits to the ratepayers;

128 (B) If more than twenty-five per cent but less than eighty per cent of
129 the land is to be used for open space or recreational purposes, the
130 department shall calculate the benefit allocated to a water company's
131 [shareholder] shareholders by multiplying by a factor of eighty per
132 cent of the portion of class III land in the transaction that is reserved
133 for open space;

134 (C) If eighty per cent or more but less than ninety per cent of the
135 area of such land is to be used for open space or recreational purposes,
136 the department shall allocate the benefits of such sale in favor of a
137 water company's shareholders in an amount that is proportionate to
138 the percentage of class III land in such sale that is to be used for open
139 space or recreational purposes;

140 (D) If not less than ninety per cent of the area of such land is to be
141 used for open space or recreational purposes, the department shall
142 allocate one hundred per cent of the benefits to the shareholders.

143 Sec. 507. Section 16-43c of the general statutes is repealed and the
144 following is substituted in lieu thereof (*Effective from passage*):

145 Notwithstanding the provisions of this chapter or section 12-217dd,

146 any land acquired from a water company, as defined in section 16-1,
147 by a municipal corporation for the purposes of construction of a school
148 and related facilities in a town with a population between [11,600]
149 eleven thousand six hundred and [11,900] eleven thousand nine
150 hundred, as enumerated by the 2000 federal decennial census, shall be
151 treated as open space for purposes of establishing the right to acquire,
152 ratemaking and taxes.

153 Sec. 508. Subsection (f) of section 16-50d of the general statutes is
154 repealed and the following is substituted in lieu thereof (*Effective from*
155 *passage*):

156 (f) When more than one person gives notice of a desire to acquire a
157 water company source or land, the right to acquire such source or land
158 shall be in the following order: (1) A water company, as defined in
159 section 25-32a, for water supply purposes; (2) a municipality in which
160 the source or land is located for water supply, open space [] or
161 recreational purposes; (3) the state for open space or recreational
162 purposes; (4) a private, nonprofit land-holding organization for open
163 space or recreational purposes; (5) a municipality for any public
164 purpose, including, but not limited to, an educational use; and (6) the
165 state for any public purpose. Any such source or land acquired for
166 open space or recreational purposes shall have such restriction placed
167 in the instrument intended as a conveyance recorded in the land
168 records in the town where the source or land is situated. No source or
169 land acquired pursuant to this section for open space or recreational
170 purposes may be used for any other purpose unless the source or land
171 has been reoffered for open space or recreational purposes pursuant to
172 the provisions of this section and no notice of a desire to acquire such
173 source or land has been given. The department shall approve any such
174 reoffering, provided there is compliance with this section. In any
175 decision pursuant to this subsection, the department shall act in
176 concurrence with the Commissioner of Environmental Protection.
177 Notwithstanding the provisions of subdivision (5) of this subsection,
178 not more than fifteen per cent of the land acquired pursuant to this
179 section may be used by a municipality for a use other than open space

180 or recreational purposes without a reoffering. Any such other use shall
181 be subject to the provisions of section 7-131n. As used in this
182 subsection, "open space or recreational purposes" means use of lands
183 for agriculture, parks, natural areas, forests, camping, fishing,
184 wetlands preservation, wildlife habitat, reservoirs, hunting, golfing,
185 boating, swimming and hiking, and "educational use" means the use
186 by any town, city or borough, whether consolidated or unconsolidated,
187 and any school district or regional school district, for the purposes of
188 schools and related facilities.

189 Sec. 509. Subdivision (3) of subsection (a) of section 16-50p of the
190 general statutes is repealed and the following is substituted in lieu
191 thereof (*Effective from passage*):

192 (3) The council shall file, with its order, an opinion stating in full its
193 reasons for the decision. The council shall not grant a certificate, either
194 as proposed or as modified by the council, unless it shall find and
195 determine:

196 (A) Except as provided in subsection (c) of this section, a public
197 need for the facility and the basis of the need;

198 (B) The nature of the probable environmental impact of the facility
199 alone and cumulatively with other existing facilities, including a
200 specification of every significant adverse effect, including, but not
201 limited to, electromagnetic fields that, whether alone or cumulatively
202 with other effects, on, and conflict with the policies of the state
203 concerning, the natural environment, ecological balance, public health
204 and safety, scenic, historic and recreational values, forests and parks,
205 air and water purity and fish, aquaculture and wildlife;

206 (C) Why the adverse effects or conflicts referred to in subparagraph
207 (B) of this subdivision are not sufficient reason to deny the application;

208 (D) In the case of an electric transmission line, (i) what part, if any,
209 of the facility shall be located overhead, (ii) that the facility conforms to
210 a long-range plan for expansion of the electric power grid of the

211 electric systems serving the state and interconnected utility systems
212 and will serve the interests of electric system economy and reliability,
213 and (iii) that the overhead portions, if any, of the facility are cost
214 effective and the most appropriate alternative based on a life-cycle cost
215 analysis of the facility and underground alternatives to such facility,
216 are consistent with the purposes of this chapter, with such regulations
217 or standards as the council may adopt pursuant to section 16-50t,
218 including, but limited to, the council's best management practices for
219 electric and [magnet] magnetic fields for electric transmission lines and
220 with the Federal Power Commission "Guidelines for the Protection of
221 Natural Historic Scenic and Recreational Values in the Design and
222 Location of Rights-of-Way and Transmission Facilities" or any
223 successor guidelines and any other applicable federal guidelines and
224 are to be contained within an area that provides a buffer zone that
225 protects the public health and safety, as determined by the council. In
226 establishing such buffer zone, the council shall take into consideration,
227 among other things, residential areas, private or public schools,
228 licensed child day care facilities, licensed youth camps or public
229 playgrounds adjacent to the proposed route of the overhead portions
230 and the level of the voltage of the overhead portions and any existing
231 overhead transmission lines on the proposed route. At a minimum, the
232 existing right-of-way shall serve as the buffer zone;

233 (E) In the case of an electric or fuel transmission line, that the
234 location of the line will not pose an undue hazard to persons or
235 property along the area traversed by the line;

236 (F) In the case of an application that was heard under a consolidated
237 hearing process with other applications that were common to a
238 request-for-proposal, that the facility proposed in the subject
239 application represents the most appropriate alternative among such
240 applications based on the findings and determinations pursuant to this
241 subsection; and

242 (G) In the case of a facility described in subdivision (6) of subsection
243 (a) of section 16-50i that is proposed to be installed on land under

244 agricultural restriction, as provided in section 22-26cc, that the facility
245 will not result in a material decrease of acreage and productivity of the
246 arable land.

247 Sec. 510. Subsection (a) of section 16-245l of the general statutes is
248 repealed and the following is substituted in lieu thereof (*Effective from*
249 *passage*):

250 (a) The Department of Public Utility Control shall establish and each
251 electric distribution company shall collect a systems benefits charge to
252 be imposed against all end use customers of each electric distribution
253 company beginning January 1, 2000. The department shall hold a
254 hearing that shall be conducted as a contested case in accordance with
255 chapter 54 to establish the amount of the systems benefits charge. The
256 department may revise the systems benefits charge or any element of
257 said charge as the need arises. The systems benefits charge shall be
258 used to fund (1) the expenses of the public education outreach
259 program developed under subsections (a), (f) and (g) of section 16-
260 244d other than expenses for department staff, (2) the reasonable and
261 proper expenses of the education outreach consultant pursuant to
262 subsection (d) of section 16-244d, (3) the cost of hardship protection
263 measures under sections 16-262c and 16-262d and other hardship
264 protections, including, but not limited to, electric service bill payment
265 programs, funding and technical support for energy assistance, fuel
266 bank and weatherization programs and weatherization services, (4) the
267 payment program to offset tax losses described in section 12-94d, (5)
268 any sums paid to a resource recovery authority pursuant to subsection
269 (b) of section 16-243e, (6) low income conservation programs approved
270 by the Department of Public Utility Control, (7) displaced worker
271 protection costs, (8) unfunded storage and disposal costs for spent
272 nuclear fuel generated before January 1, 2000, approved by the
273 appropriate regulatory agencies, (9) postretirement safe shutdown and
274 site protection costs that are incurred in preparation for
275 decommissioning, (10) decommissioning fund contributions, (11) the
276 costs of temporary electric generation facilities incurred pursuant to
277 section 16-19ss, (12) operating expenses for the Connecticut Energy

278 Advisory Board, and (13) legal, appraisal and purchase costs of a
279 conservation or land use restriction and other related costs as the
280 department in its discretion deems appropriate, incurred by a
281 municipality on or before January 1, 2000, to ensure the environmental,
282 recreational and scenic preservation of any reservoir located within
283 this state created by a pump storage hydroelectric generating facility.
284 As used in this subsection, "displaced worker protection costs" means
285 the reasonable costs incurred, prior to January 1, 2008, (A) by an
286 electric supplier, exempt wholesale generator, electric company, an
287 operator of a nuclear power generating facility in this state or a
288 generation entity or affiliate arising from the dislocation of any
289 employee other than an officer, provided such dislocation is a result of
290 (i) restructuring of the electric generation market and such dislocation
291 occurs on or after July 1, 1998, or (ii) the closing of a Title IV source or
292 an exempt wholesale generator, as defined in 15 USC 79z-5a, on or
293 after January 1, 2004, as a result of such source's failure to meet
294 requirements imposed as a result of sections 22a-197 and 22a-198 and
295 this section or those Regulations of Connecticut State Agencies
296 adopted by the Department of Environmental Protection, as amended
297 from time to time, in accordance with Executive Order Number 19,
298 issued on May 17, 2000, and provided further such costs result from
299 either the execution of agreements reached through collective
300 bargaining for union employees or from the company's or entity's or
301 affiliate's programs and policies for nonunion employees, and (B) by
302 an electric distribution company or an exempt wholesale generator
303 arising from the retraining of a former employee of an unaffiliated
304 exempt wholesale generator, which employee was [involuntary]
305 involuntarily dislocated on or after January 1, 2004, from such
306 wholesale generator, except for cause. "Displaced worker protection
307 costs" includes costs incurred or projected for severance, retraining,
308 early retirement, outplacement, coverage for surviving spouse
309 insurance benefits and related expenses. "Displaced worker protection
310 costs" does not include those costs included in determining a tax credit
311 pursuant to section 12-217bb.

312 Sec. 511. Section 21a-190h of the general statutes, as amended by
313 section 3 of public act 05-101, is repealed and the following is
314 substituted in lieu thereof (*Effective from passage*):

315 It shall be a violation of sections 21a-190a to 21a-190l, inclusive, as
316 amended by [this act] public act 05-101, for: (1) Any person to
317 misrepresent the purpose or beneficiary of a solicitation; (2) any person
318 to misrepresent the purpose or nature of a charitable organization; (3)
319 any charitable organization or any person while engaged in the
320 conduct of the affairs of a charitable organization to engage in any
321 financial transaction which is not related to the accomplishment of its
322 charitable purpose, or which jeopardizes or interferes with the ability
323 of the charitable organization to accomplish such organization's
324 charitable purpose; (4) any charitable organization to expend an
325 unreasonable amount of money for solicitation or management; (5) any
326 person to use or exploit the fact of registration so as to lead the public
327 to believe that such registration constitutes an endorsement or
328 approval by the state; (6) any person to misrepresent that any other
329 person sponsors or endorses a solicitation; (7) any person to use the
330 name of a charitable organization, or to display any emblem, device or
331 printed matter belonging to or associated with a charitable
332 organization without the express written permission of the charitable
333 organization; (8) any charitable organization to use the name which is
334 the same as or confusingly similar to the name of another charitable
335 organization unless the latter organization shall consent in writing to
336 its use; (9) any charitable organization to represent itself as being
337 associated with another charitable organization without the express
338 written acknowledgment and endorsement of such other charitable
339 organization; (10) any person to make any false or misleading
340 statement on any document required by sections 21a-190a to 21a-190l,
341 inclusive, as amended by [this act] public act 05-101; (11) any person to
342 fail to comply with the requirements of sections 21a-190b to 21a-190g,
343 inclusive, as amended by [this act] public act 05-101; (12) any
344 charitable organization to use the services of an unregistered fund-
345 raising counsel or paid solicitor; (13) any fund-raising counsel or paid

346 solicitor to perform any services on behalf of an unregistered
347 charitable organization; or (14) any person to appropriate any property
348 of a charitable organization for a private use.

349 Sec. 512. Subsection (b) of section 22-26cc of the general statutes is
350 repealed and the following is substituted in lieu thereof (*Effective from*
351 *passage*):

352 (b) Upon the acquisition by the commissioner of the development
353 rights of agricultural land, [said] the commissioner shall cause to be
354 filed in the appropriate land records and in the office of the Secretary
355 of the State a notice of such acquisition which shall set forth a
356 description of the agricultural land as will be sufficient to give any
357 prospective purchaser of such agricultural land or creditor of the
358 owner thereof notice of such restriction. Upon [the filing as aforesaid
359 of the notice] such filing, the owner of such agricultural land shall not
360 be permitted to exercise development rights with respect to such land,
361 and such development rights shall be considered and deemed
362 dedicated to the state in perpetuity, except as hereinafter provided. If
363 restricted land is to be sold, the [former] owner shall notify, in writing,
364 the commissioner of such impending sale not more than ninety days
365 before transfer of title to the land and shall provide [him] the
366 commissioner with the name and address of the new owner.

367 Sec. 513. Subsection (c) of section 36a-581 of the general statutes is
368 repealed and the following is substituted in lieu thereof (*Effective from*
369 *passage*):

370 (c) An application for a check cashing license or renewal of such
371 license shall be in writing, under oath and on a form provided by the
372 commissioner. The application shall set forth: (1) The name and
373 address of the applicant; (2) if the applicant is a firm or partnership,
374 the names and addresses of each member of the firm or partnership;
375 (3) if the applicant is a corporation, the names and addresses of each
376 officer, director, authorized agent and each shareholder owning ten
377 per cent or more of the outstanding stock of such corporation; (4) if the

378 applicant is a limited liability company, the names and addresses of
379 each manager and authorized agent of such limited liability company;
380 (5) each location where the check cashing business is to be conducted
381 and the type of facility that will be operated at that location; (6) the
382 business plan, which shall include the proposed days and hours of
383 operation; (7) the amount of liquid assets available for each location
384 which shall not be less than the amount specified in subdivision [(6)]
385 (7) of subsection (e) of this section; (8) for each limited facility, a copy
386 of the executed contract evidencing the proposed arrangement
387 between the applicant and the employer; and (9) any other information
388 the commissioner may require.

389 Sec. 514. Subsection (f) of section 36a-699f of the general statutes is
390 repealed and the following is substituted in lieu thereof (*Effective from*
391 *passage*):

392 (f) The provisions of this section do not apply to: (1) A credit rating
393 agency that acts as a reseller of credit information by assembling and
394 merging information contained in the databases of other credit rating
395 agencies, and that does not maintain a permanent database of credit
396 information from which new credit reports are produced, (2) a check
397 services or fraud prevention services company that issues reports on
398 incidents of fraud or authorizations for the purpose of approving or
399 processing negotiable instruments, electronic funds transfers or similar
400 payment methods, or (3) a demand deposit account information
401 service company that issues reports regarding account closures due to
402 fraud, substantial overdrafts, [automatic] automated teller machine
403 abuse or similar negative information regarding a consumer to
404 inquiring banks or other financial institutions for use only in reviewing
405 a consumer request for a demand deposit account at the inquiring
406 bank or financial institution.

407 Sec. 515. Section 46b-150d of the general statutes, as amended by
408 section 20 of public act 05-10, is repealed and the following is
409 substituted in lieu thereof (*Effective October 1, 2005*):

410 An order that a minor is emancipated shall have the following
411 effects: [(a)] (1) The minor may consent to medical, dental or
412 psychiatric care, without parental consent, knowledge or liability; [(b)]
413 (2) the minor may enter into a binding contract; [(c)] (3) the minor may
414 sue and be sued in [his] such minor's own name; [(d)] (4) the minor
415 shall be entitled to [his] such minor's own earnings and shall be free of
416 control by [his] such minor's parents or guardian; [(e)] (5) the minor
417 may establish [his] such minor's own residence; [(f)] (6) the minor may
418 buy and sell real and personal property; [(g)] (7) the minor may not
419 thereafter be the subject of a petition under section 46b-129 as an
420 abused, dependent, neglected or uncared for child or youth; [(h)] (8)
421 the minor may enroll in any school or college, without parental
422 consent; [(i)] (9) the minor shall be deemed to be over eighteen years of
423 age for purposes of securing an operator's license under section 14-36
424 and a marriage license under subsection (b) of section 46b-30 or a civil
425 union license under section 10 of [this act] public act 05-10 without
426 parental consent; [(j)] (10) the minor shall be deemed to be over
427 eighteen years of age for purposes of registering a motor vehicle under
428 section 14-12; [(k)] (11) the parents of the minor shall no longer be the
429 guardians of the minor under section 45a-606; [(l)] (12) the parents of a
430 minor shall be relieved of any obligations respecting [his] such minor's
431 school attendance under section 10-184; [(m)] (13) the parents shall be
432 relieved of all obligation to support the minor; [(n)] (14) the minor shall
433 be emancipated for the purposes of parental liability for [his] such
434 minor's acts under section 52-572; [(o)] (15) the minor may execute
435 releases in [his] such minor's own name under section 14-118; and [(p)]
436 (16) the minor may enlist in the armed forces of the United States
437 without parental consent.

438 Sec. 516. Subsection (b) of section 54-76j of the general statutes is
439 repealed and the following is substituted in lieu thereof (*Effective*
440 *October 1, 2005*):

441 (b) If execution of the sentence is suspended under subdivision (6)
442 of subsection (a) of this section, the defendant may be placed on
443 probation or conditional discharge for a period not to exceed three

444 years, provided the court in its discretion may from time to time, while
445 such probation is in force, extend such probation for a period not to
446 exceed five years, including the original probationary period. If the
447 court places the person adjudicated to be a youthful offender on
448 probation, the court may order that, as a condition of such probation,
449 the person be referred for services to a youth service bureau
450 established pursuant to section [17a-39] 10-19m, provided the court
451 finds, through an assessment by a youth service bureau or its designee,
452 that the person is in need of and likely to benefit from such services. If
453 the court places a person adjudicated as a youthful offender on
454 probation, the court may order that, as a condition of such probation,
455 the person participate in the zero-tolerance drug supervision program
456 established pursuant to section 53a-39d. If the court places a youthful
457 offender on probation, school and class attendance on a regular basis
458 and satisfactory compliance with school policies on student conduct
459 and discipline may be a condition of such probation and, in such a
460 case, failure to so attend or comply shall be a violation of probation. If
461 the court has reason to believe that the person adjudicated to be a
462 youthful offender is or has been an unlawful user of narcotic drugs, as
463 defined in section 21a-240, and the court places such youthful offender
464 on probation, the conditions of probation, among other things, shall
465 include a requirement that such person shall submit to periodic tests to
466 determine, by the use of "synthetic opiate antinarcotic in action",
467 nalline test or other detection tests, at a hospital or other facility,
468 equipped to make such tests, whether such person is using narcotic
469 drugs. A failure to report for such tests or a determination that such
470 person is unlawfully using narcotic drugs shall constitute a violation of
471 probation. If the court places a person adjudicated as a youthful
472 offender for a violation of section 53-247 on probation, the court may
473 order that, as a condition of such probation, the person undergo
474 psychiatric or psychological counseling or participate in an animal
475 cruelty prevention and education program, provided such a program
476 exists and is available to the person.

477 Sec. 517. Section 2 of public act 05-10 is repealed and the following is

478 substituted in lieu thereof (*Effective October 1, 2005*):

479 A person is eligible to enter into a civil union if such person is:

480 (1) Not a party to another civil union or a marriage;

481 (2) Of the same sex as the other party to the civil union;

482 (3) [Except as provided in section 10 of this act, at] At least eighteen
483 years of age; and

484 (4) Not prohibited from entering into a civil union pursuant to
485 section 3 of [this act] public act 05-10.

486 Sec. 518. Subsection (a) of section 11 of public act 05-10 is repealed
487 and the following is substituted in lieu thereof (*Effective October 1,*
488 *2005*):

489 (a) Each person who joins any person in a civil union shall certify
490 upon the license certificate the fact, time and place of the civil union,
491 and return it to the registrar of vital statistics of the town where [it was
492 issued] the civil union was celebrated, before or during the first week
493 of the month following the celebration of the civil union. Any person
494 who fails to do so shall be fined not more than ten dollars.

495 Sec. 519. Section 46 of substitute house bill 6720 of the current
496 session is repealed and the following is substituted in lieu thereof
497 (*Effective from passage*):

498 Route 53 in the Town of Bethel shall be designated the "John L.
499 [Tiele] Thiele Memorial Highway".

500 Sec. 520. Subsection (f) of section 2 of substitute senate bill 650 of the
501 current session is repealed and the following is substituted in lieu
502 thereof (*Effective January 1, 2006*):

503 (f) Any credit rating agency may refuse to implement or may
504 remove such security freeze if such agency believes, in good faith, that:
505 (1) The request for a security freeze was made as part of a fraud that

506 the consumer participated in, had knowledge of, or that can be
507 demonstrated by circumstantial evidence, or (2) the consumer credit
508 report was frozen due to a material misrepresentation of fact by the
509 consumer. In the event any such credit rating agency refuses to
510 implement or [remove] removes a security freeze pursuant to this
511 subsection, such credit rating agency shall promptly notify such
512 consumer in writing of such refusal not later than five business days
513 after such refusal or, in the case of a removal of a security freeze, prior
514 to removing the freeze on the consumer's credit report.

515 Sec. 521. Subsection (b) of section 3 of substitute senate bill 650 of
516 the current session is repealed and the following is substituted in lieu
517 thereof (*Effective January 1, 2006*):

518 (b) Any person who conducts business in this state, and who, in the
519 ordinary course of such person's business, owns, licenses or maintains
520 computerized data that includes personal information, shall disclose
521 any breach of security following the discovery of the breach to any
522 resident of this state whose personal information was, or is reasonably
523 believed to have been, accessed by an unauthorized person through
524 such breach of security. Such disclosure shall be made without
525 unreasonable delay, subject to the provisions of subsection [(c)] (d) of
526 this section and the completion of an investigation by such person to
527 determine the nature and scope of the incident, to identify the
528 individuals affected, or to restore the reasonable integrity of the data
529 system. Such notification shall not be required if, after an appropriate
530 investigation and consultation with relevant federal, state and local
531 agencies responsible for law enforcement, the person reasonably
532 determines that the breach will not likely result in harm to the
533 individuals whose personal information has been acquired and
534 accessed.

535 Sec. 522. Subsection (f) of section 3 of substitute senate bill 650 of the
536 current session is repealed and the following is substituted in lieu
537 thereof (*Effective January 1, 2006*):

538 (f) Any person that maintains [its] such person's own security
539 breach procedures as part of an information security policy for the
540 treatment of personal information and otherwise complies with the
541 timing requirements of this section, shall be deemed to be in
542 compliance with the security breach notification requirements of this
543 section, provided such person notifies subject persons in accordance
544 with such person's policies in the event of a breach of security. Any
545 person that maintains such a security breach procedure pursuant to
546 the rules, regulations, procedures or guidelines established by the
547 primary or functional regulator, as defined in 15 USC [6809(4)] 6809(2),
548 shall be deemed to be in compliance with the security breach
549 notification requirements of this section, provided such person notifies
550 subject persons in accordance with the policies or the rules,
551 regulations, procedures or guidelines established by the primary or
552 functional regulator in the event of a breach of security of the system.

553 Sec. 523. Subsection (a) of section 502 of substitute senate bill 1149 of
554 the current session is repealed and the following is substituted in lieu
555 thereof (*Effective October 1, 2005*):

556 (a) Notwithstanding the provisions of chapter 445 of the general
557 statutes, a conveyance of a unit in a residential common interest
558 community shall not be subject to the requirements of sections 22a-134
559 to [22a-133e] 22a-134e, inclusive, of the general statutes, as amended
560 by [this act] substitute senate bill 1149 of the current session, provided
561 the declarant for the residential common interest community of which
562 the unit is a part is a certifying party, as defined in section 22a-134 of
563 the general statutes, as amended by [this act] substitute senate bill 1149
564 of the current session, for purposes of remediation of any
565 establishment, as defined in section 22a-134 of the general statutes, as
566 amended by [this act] substitute senate bill 1149 of the current session,
567 within such community and provides to the Commissioner of
568 Environmental Protection a surety bond or other form of financial
569 assurance acceptable to the commissioner.

570 Sec. 524. Subdivision (3) of subsection (a) of section 14-96p of the

571 general statutes, as amended by section 9 of substitute senate bill 1116
572 of the current session, is repealed and the following is substituted in
573 lieu thereof (*Effective from passage*):

574 (3) A vehicle being operated by the chief executive officer of an
575 emergency medical service organization, as defined in section 19a-175,
576 the first or second deputies, or if there are no deputies, the first or
577 second assistants, of such an organization that is a municipal or
578 volunteer or licensed organization, an ambulance, as defined in section
579 19a-175, a vehicle being operated by a local fire marshal or a local
580 director of emergency management may use a flashing red light or
581 lights or flashing white head lamps and a flashing amber light while
582 on the way to the scene of an emergency, except that an ambulance
583 may use flashing lights of other colors specified by federal
584 requirements for the manufacture of such vehicle. The chief executive
585 officer of each such organization shall provide annually during the
586 month of January, on forms provided by the commissioner, such
587 officer's name and address and the registration number on the number
588 plate or plates of the vehicle on which the authorized red light is or
589 white head lamps and amber light are to be used. A vehicle being
590 operated by a member of a volunteer fire department or company or a
591 volunteer emergency medical technician may use flashing white head
592 lamps, provided such member or emergency medical technician is on
593 the way to the scene of a fire or medical emergency and has received
594 written authorization from the chief law enforcement officer of the
595 municipality to use such head lamps. Such head lamps shall only be
596 used within the municipality granting such authorization or from a
597 personal residence or place of employment, if located in an adjoining
598 municipality. Such authorization may be revoked for use of such head
599 lamps in violation of this subdivision.

600 Sec. 525. Section 6 of substitute house bill 6720 of the current session
601 is repealed and the following is substituted in lieu thereof (*Effective*
602 *from passage*):

603 The segment of Route 10 from the intersection of Route 10 and [the

604 Farmington Canal Greenway overpass] Route 15 eastward to its
605 junction with Whitney Avenue in Hamden, and the segment of Route
606 717 from Whitney Avenue eastward to its intersection with Route 15,
607 shall be designated the "Hamden Veterans' Memorial Highway".

608 Sec. 526. Subsection (a) of section 16-50i of the general statutes is
609 repealed and the following is substituted in lieu thereof (*Effective from*
610 *passage*):

611 (a) "Facility" means: (1) An electric transmission line of a design
612 capacity of sixty-nine kilovolts or more, including associated
613 equipment but not including a transmission line tap, as defined in
614 subsection (e) of this section; (2) a fuel transmission facility, except a
615 gas transmission line having a design capability of less than two
616 hundred pounds per square inch gauge pressure or having a design
617 capacity of less than twenty per cent of its specified minimum yield
618 strength; (3) any electric generating or storage facility using any fuel,
619 including nuclear materials, including associated equipment for
620 furnishing electricity but not including an emergency generating
621 device, as defined in subsection (f) of this section or a facility (i) owned
622 and operated by a private power producer, as defined in section
623 16-243b, (ii) which is a qualifying small power production facility or a
624 qualifying cogeneration facility under the Public Utility Regulatory
625 Policies Act of 1978, as amended, or a facility determined by the
626 council to be primarily for a producer's own use, and (iii) which has, in
627 the case of a facility utilizing renewable energy sources, a generating
628 capacity of one megawatt of electricity or less and, in the case of a
629 facility utilizing cogeneration technology, a generating capacity of
630 twenty-five megawatts of electricity or less; (4) any electric substation
631 or switchyard designed to change or regulate the voltage of electricity
632 at sixty-nine kilovolts or more or to connect two or more electric
633 circuits at such voltage, which substation or switchyard may have a
634 substantial adverse environmental effect, as determined by the council
635 established under section 16-50j, and other facilities which may have a
636 substantial adverse environmental effect as the council may, by
637 regulation, prescribe; (5) such community antenna television towers

638 and head-end structures, including associated equipment, which may
639 have a substantial adverse environmental effect, as said council shall,
640 by regulation, prescribe; (6) such telecommunication towers, including
641 associated telecommunications equipment, owned or operated by the
642 state, a public service company or a certified telecommunications
643 provider or used in a cellular system, as defined in the Code of Federal
644 Regulations Title 47, Part 22, as amended, which may have a
645 substantial adverse environmental effect, as said council shall, by
646 regulation, prescribe; and (7) any component of a proposal submitted
647 pursuant to the request-for-proposal process.

648 Sec. 527. Subsection (b) of section 1 of house bill 6008 of the current
649 session is repealed and the following is substituted in lieu thereof
650 (*Effective from passage*):

651 (b) On and after October 1, 2005, the Adjutant General and the
652 Commissioner of Veterans' Affairs shall assist any eligible member or
653 veteran who (1) has been assigned a risk level I, II or III for depleted
654 uranium exposure by his or her branch of service, (2) is referred by a
655 military physician, or (3) has reason to believe that he or she was
656 exposed to depleted uranium during such service, in obtaining federal
657 treatment services, including a best practice health screening test for
658 exposure to depleted uranium using a bioassay procedure involving
659 sensitive methods capable of detecting depleted uranium at low levels
660 and the use of equipment with the capacity to discriminate between
661 different radioisotopes in naturally occurring levels of uranium and
662 the characteristic ratio and marker for depleted uranium. No state
663 funds shall be used to pay for such tests or such other federal
664 treatment services.

665 Sec. 528. Section 18 of public act 05-10 is repealed. (*Effective October*
666 *1, 2005*)"